

194331

STATE OF SOUTH CAROLINA

(Caption of Case)

dPi Teleconnect, L.L.C.

v.

BellSouth Telecommunications, Inc.
dba AT&T South Carolina

Regarding BellSouth's failure to extend
Cash Back promotions to dPi

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET
NUMBER: 2008 - 160 - C

COPY

Filed: ted
Dept: S.A.

Date: 8/13/08

Time: 10:45

(Please type or print)

Submitted by: Christopher Malish

Address: Foster Malish & Cowan, LLP
1403 West Sixth St.
Austin TX 78703

SC Bar Number: n/a

Telephone: 512-476-8591

Fax: 512-477-8657

Other:

Email: cmalish@fostermalish.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition

☐ Request for item to be placed on Commission's Agenda
expeditiously

☐ Other:

INDUSTRY (Check one)

- ☐ Electric
☐ Electric/Gas
☐ Electric/Telecommunications
☐ Electric/Water
☐ Electric/Water/Telecom.
☐ Electric/Water/Sewer
☐ Gas
☐ Railroad
☐ Sewer
☒ Telecommunications
☐ Transportation
☐ Water
☐ Water/Sewer
☐ Administrative Matter
☐ Other:

NATURE OF ACTION (Check all that apply)

- | | | |
|--|--|---|
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Letter | <input type="checkbox"/> Request |
| <input type="checkbox"/> Agreement | <input type="checkbox"/> Memorandum | <input type="checkbox"/> Request for Certification |
| <input type="checkbox"/> Answer | <input type="checkbox"/> Motion | <input type="checkbox"/> Request for Investigation |
| <input type="checkbox"/> Appellate Review | <input type="checkbox"/> Objection | <input type="checkbox"/> Resale Agreement |
| <input type="checkbox"/> Application | <input type="checkbox"/> Petition | <input type="checkbox"/> Resale Amendment |
| <input type="checkbox"/> Brief | <input type="checkbox"/> Petition for Reconsideration | <input type="checkbox"/> Reservation Letter |
| <input type="checkbox"/> Certificate | <input type="checkbox"/> Petition for Rulemaking | <input type="checkbox"/> Response |
| <input type="checkbox"/> Comments | <input type="checkbox"/> Petition for Rule to Show Cause | <input type="checkbox"/> Response to Discovery |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Petition to Intervene | <input type="checkbox"/> Return to Petition |
| <input type="checkbox"/> Consent Order | <input type="checkbox"/> Petition to Intervene Out of Time | <input type="checkbox"/> Stipulation |
| <input type="checkbox"/> Discovery | <input type="checkbox"/> Prefiled Testimony | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Exhibit | <input type="checkbox"/> Promotion | <input type="checkbox"/> Tariff |
| <input type="checkbox"/> Expedited Consideration | <input type="checkbox"/> Proposed Order | <input checked="" type="checkbox"/> Other: Pro Hac Vice |
| <input type="checkbox"/> Interconnection Agreement | <input type="checkbox"/> Protest | |
| <input type="checkbox"/> Interconnection Amendment | <input type="checkbox"/> Publisher's Affidavit | |
| <input type="checkbox"/> Late-Filed Exhibit | <input type="checkbox"/> Report | |

Print Form

Reset Form

RECEIVED

AUG 13 2008

PSC SC
DOCKETING DEPT.

ELLIS:LAWHORNE

John J. Pringle, Jr.
Direct dial: 803/343-1270
jpringle@ellislawhorne.com

August 12, 2008

FILED ELECTRONICALLY

The Honorable Charles L.A. Terreni
Executive Director
South Carolina Public Service Commission
Post Office Drawer 11649
Columbia, South Carolina 29211

RECEIVED

AUG 13 2008

PSC SC
DOCKETING DEPT.

RE: dPi Teleconnect, L.L.C. v. BellSouth Telecommunications, Inc.
dba AT&T South Carolina, regarding BellSouth's failure to extend
Cash Back promotions to dPi
Docket No. 2008-160-C, Our File No. 536-11586

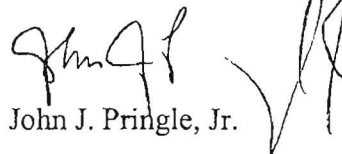
Dear Mr. Terreni:

Enclosed please find the original and one copy of the **Motion for Admission Pro Hac Vice of Christopher Malish** for filing on behalf of dPi Teleconnect, LLC in the above-referenced docket. By copy of this letter, I am serving the originals of these documents, along with the requested filing fee with the Supreme Court and serving all parties of record with this document.

If you have any questions or need additional information, please do not hesitate to contact me.

With kind regards, I am

Very truly yours,



John J. Pringle, Jr.

JJP/cr

cc: Clerk of Court, Supreme Court of South Carolina (originals, via hand-delivery)
Christopher Malish, Esquire (via electronic mail service)
Mr. Brian Bollinger (via electronic mail service)
all parties of record

Enclosures

**VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE*
IN THE STATE OF SOUTH CAROLINA**

dPi Teleconnect, LLC

2008-160-C

South Carolina Public Service
Commission

Plaintiff

Case No.

Court

vs.

BellSouth Telecommunications, Inc. dba
AT&T South Carolina

Defendant

Mailing Address of Court: 101 Executive Center Dr., Suite 100
Columbia, SC 29210

Comes now Christopher Malish, applicant herein, and respectfully represents the following:

1. Applicant resides at:

1403 West 6th Street

Street Address

Austin

Travis

TX

78703

City

County

State

Zip Code

512-476-8591

Telephone

2. Applicant is an attorney and a member of the law firm of (or practices law under the name of) Foster

Malish & Cowan, LLP, with offices at, at

1403 West 6th Street

Street Address

Austin

Travis

TX

78703

City

County

State

Zip Code

512-476-8591

Telephone

512-477-8657

Fax Number

3. Applicant has been retained personally or as a member of the above named law firm by dPi Teleconnect, LLC to provide legal representation in connection with the above case now pending before the above named court of the State of South Carolina.

4. Since November of 1994, applicant has been, and presently is, a member in good standing of the bar of the highest court of the District of Columbia or the State of Texas where applicant regularly practices law. Attached is a certificate of good standing.

5. Applicant has been admitted to practice before the following courts: (List all of the following courts applicant has been admitted to practice before: United States District Courts; United States Circuit Courts of Appeals; the Supreme Court of the United States; and courts of other states or the District of Columbia.)

Court:

Date Admitted:

United States District Court Northern District of Texas	September 22, 2006
United States Court of Appeals, Fifth Circuit	November 14, 2003
United States District Court Western District of Texas	June 10, 1997
All State Courts, Texas	November 4, 1994

Applicant is presently a member in good standing of the bars of those courts listed above, except as listed below:
(List any court named in the preceding paragraph that applicant is no longer admitted to practice before.)

None

6. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency, except as provided below (give particulars, e.g., jurisdiction, court, date):

None

7. Applicant never has had any application for admission *pro hac vice* in this or any other jurisdiction denied or any *pro hac vice* admission revoked, except as provided below (give particulars, e.g., date, court, docket number, judge, circumstances; attach a copy of any order of denial or revocation):

None

8. Applicant never has had any certificate or privilege to appear and practice before any administrative body suspended or revoked, except as provided below (give particulars, e.g., date, administrative body, date of suspension and reinstatement):

None

9. Local counsel of record associated with applicant in this case is John J. Pringle, Jr., of the Ellis, Lawhorne & Sims, P.A. law firm, which has offices at:

1501 Main Street, 5th Floor

Street Address

Richland

County

803-343-1270

Telephone

Columbia

City

South Carolina

State

29202

Zip Code

If applicable list all other firms/attorneys you are associated with in this matter

None

10. Applicant has previously filed an application to appear *pro hac vice* in the following South Carolina cases (give case name and status of litigation, date of application, local counsel of record in each case, and state whether application is pending or was granted).

SC PSC Docket No. 2005-358-C; In Re: dPi Teleconnect, LLC v. BellSouth Telecommunications, Inc.; application granted February 28, 2007; local counsel for this case is John J. Pringle, Jr. (see #9 for contact information)

11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize him/herself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.

12. Applicant respectfully requests to be admitted to practice in the above named court for this case only.

DATED this 5th day of August, 2008.

dPi Teleconnect, LLC

APPLICANT

VERIFICATION

STATE OF TEXAS)

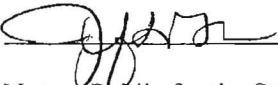
COUNTY OF TRAVIS)

I, Christopher Malish, do hereby swear or affirm under penalty of perjury that I am the applicant in the above styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except as to those matters stated on information and belief, and that as to those matters I believe them to be true.

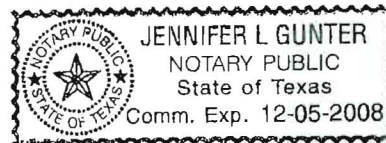


APPLICANT/AFFIANT

Subscribed and sworn to before me this 5th day of August, 2008.



Notary Public for the State of Texas




My Commission Expires: 12/05/2008

LOCAL COUNSEL CONSENT

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rules Governing Admission *Pro Hac Vice* to the South Carolina Bar.

DATED this 12th day of August, 2008.



LOCAL COUNSEL OF RECORD

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by mail addressed to: South Carolina Supreme Court Office of Bar Admissions, PO Box 11330, Columbia, SC 29211, August accompanied by payment of the \$250 filing fee payable to the South Carolina Supreme Court on this 12th day of July, 2008.



APPLICANT/AFFIANT

STATE BAR OF TEXAS



Office of The Chief Disciplinary Counsel

July 24, 2008

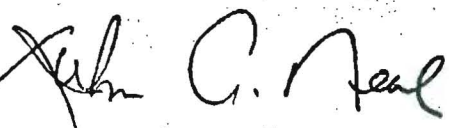
RE: **Mr. Anton Christopher Malish**
State Bar Number - **00791164**

To Whom it May Concern:

This is to certify that Mr. Anton Christopher Malish was licensed to practice law in Texas on November 04, 1994 and is an active member in good standing with the State Bar of Texas.

Good Standing means that the attorney is current on payment of Bar dues and attorney occupation tax; has met Minimum Continuing Legal Education requirements; and is not presently under either administrative or disciplinary suspension.

No disciplinary action involving professional misconduct has been taken against the attorney's law license. This certification expires 30 days from this date, unless sooner revoked or rendered invalid by operation of rule or law.


John A. Neal
Chief Disciplinary Counsel

JN/dh



**BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2008-160-C**

In the matter of:

dPi Teleconnect, L.L.C. v.

BellSouth Telecommunications, Inc.

dba AT&T South Carolina

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CERTIFICATE OF SERVICE

This is to certify that I have caused to be served this day, one (1) copy of the **Verified Application for Admission *Pro Hac Vice*** by placing a copy of same in the care and custody of the United States Postal Service (unless otherwise specified), with proper first-class postage affixed hereto and addressed as follows:

VIA ELECTRONIC MAIL SERVICE

Patrick W. Turner, Esquire

BellSouth Telecommunications, Inc.

dba AT&T South Carolina

1600 Williams Street

Suite 5200

Columbia SC 29201

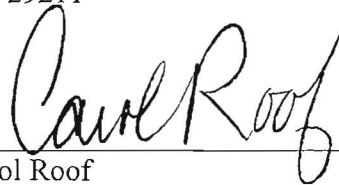
VIA ELECTRONIC MAIL SERVICE

C. Lessie Hammonds, Esquire

Office of Regulatory Staff

PO Box 11263

Columbia SC 29211



Carol Roof
Paralegal

August 12, 2008

Columbia, South Carolina